

### **REMARKS**

This amendment is in response to the Official Action dated May 28, 2008. Claim 24 has been amended, and claims 31 and 34 have been cancelled; as such, claims 24-30, 32, 33, and 35-44 are now pending in this application. Claims 24, 36, and 41 are independent claims. Reconsideration and allowance is requested in view of the claim amendments and the Examiner previous indications of allowability.

No new matter has been added by this Amendment. The only amendment to claim 24 includes replacing the term “the mode signal” with “a mode signal” to address antecedence issues.

#### **Allowable Subject Matter**

Applicant appreciates that claims 36-44 are allowed, and that claims 24-30, 32, 33, and 35 have only been rejected under 35 U.S.C. § 112 due to minor antecedence issues. Applicant submits that independent claim 24 has been amended to address these antecedence issues and is now in allowable form. Therefore, it is submitted that amended independent claim 24 and corresponding dependent claims are also allowable, in view of the lack of any prior art rejections.

Applicant notes that these claims are allowable in their own right, and not simply for the reasons set forth in the Office Action.

#### **Rejections under 35 U.S.C. § 112**

Claims 24-30, 32, 33, and 35 have been rejected under 35 U.S.C. § 112 due to antecedence issues with respect to independent claim 24.

Claim 24 has been amended by replacing the term “the mode signal” with “a mode signal” to address the antecedence issue.

#### **Rejections under 35 U.S.C. § 103**

Claims 31 and 34 have been rejected under 35 U.S.C. § 103 over U.S. Patent No. 6,539,511 to Hashizume in view of U.S. Patent No. 5,040,150 to Naitoh et al.

Claims 31 and 34 have been cancelled; as such this rejection is now moot.

Accordingly, withdrawal of this rejection is respectfully requested.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2810 from which the undersigned is authorized to draw.

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Respectfully submitted,

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